

ADVISORY OPINION 98-005

Any advisory opinion rendered by the Registry under subsections (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is rendered. KRS 121.135(4).

May 11, 1998

Hon. Harold M. Johns
Todd County Attorney
12 Public Square
P.O. Box 746
Elkton, Kentucky 42220-0746

Dear Mr. Johns:

This is in response to your April 15, 1998, request for an advisory opinion regarding whether, pursuant to KRS 121.175 or other applicable law, the Democratic Executive Committee for Todd County could contribute to the cost of a reception honoring a retiring party activist and local elected official.

The Todd County Democratic Executive Committee as an executive committee of a political party, defined by KRS 121.015(3)(d), is subject to the jurisdiction of the Registry and must comply with the requirements of KRS Chapter 121. As a committee, distribution of its funds is limited to "allowable campaign expenditures," as defined in KRS 121.175 and 32 KAR 2:200, which include expenditures "made directly and primarily in support of or opposition to a candidate, constitutional amendment, or public question which will appear on the ballot." Allowable campaign expenditures also include expenditures necessary to the administration of a committee.

The expenditure for the cost of an honorary reception may be described as a social expenditure. Such an expenditure is not related to the support or opposition of a candidate or public question nor to the administration of your committee. Further, the cost of an honorary reception does not qualify as an expenditure for meals and gifts for volunteer

Hon. Harold M. Johns
May 11, 1998
AO 98-005
Page 2

campaign workers under KRS 121.175. Therefore, the cost of a reception to honor a retiring official and party activist is not an allowable campaign expenditure under KRS 121.175.

In a prior advisory opinion, AO 96-004, attached and incorporated by reference herein, the Registry addressed the issue of social expenditures. The Registry opined that KRS Chapter 121 does not prevent the members of an executive committee "from making individual or joint charitable contributions or "social expenditures" from their own personal funds." Further, as contributions and disbursements for social expenditures do not relate to the advocacy of the election or defeat of a candidate or political issue on the ballot or to the administration of the executive party committee, they are not regulated by KRS Chapters 121 or 121A.

If you have further questions, please do not hesitate to contact the Registry at (502) 573-2226.

Sincerely,

Rosemary F. Center
General Counsel

Enclosure: AO 96-004
RFC/db